

## Project #09-1277, Qwuloolt Estuary Restoration - Construction

Submitted by Kurt Nelson on 06/28/2016

Accepted by Elizabeth Butler on 07/01/2016

### CONTACTS

**Primary Sponsor:** Tulalip Tribe

**Lead Entity:** Snohomish Basin LE

**Managing Agency:** Rec. and Conserv. Office

**Project Contact:** Kurt Nelson  
knelson@tulaliptribes-nsn.gov

**Alt Project Contact:** Josh Meidav  
jmeidav@tulaliptribes-nsn.gov

**Billing Contact:** Dave Wilbur  
dwilbur@tulaliptribes-nsn.gov

**RCO Grant Manager:** Elizabeth Butler  
elizabeth.butler@rco.wa.gov

### COSTS TO DATE

**Project Start Date:** 10/16/2009

**Original End Date:** 01/01/2012

**FundingEnd Date:** 12/31/2016

| <b>Funding Formula:</b>         | <b>Requested</b>    |               | <b>Original</b>     |               | <b>Current</b>        |               |
|---------------------------------|---------------------|---------------|---------------------|---------------|-----------------------|---------------|
| Aquatic Lands Enhancement Acct: | \$0.00              | (0%)          | \$0.00              | (0%)          | \$456,780.05          | (18%)         |
| Puget Sound Acq. & Restoration: | \$500,000.00        | (85%)         | \$500,000.00        | (85%)         | \$1,550,000.00        | (62%)         |
| Sponsor Match:                  | \$90,000.00         | (15%)         | \$90,000.00         | (15%)         | \$488,500.00          | (20%)         |
| <b>Total:</b>                   | <b>\$590,000.00</b> | <b>(100%)</b> | <b>\$590,000.00</b> | <b>(100%)</b> | <b>\$2,495,280.05</b> | <b>(100%)</b> |

**Paid To Date:** \$1,806,102.05

**Remaining RCO Funds:** \$200,678.00

**Advance Balance:** \$0.00

**Admin Limit:** \$0.00

**A&E Limit:** \$0.00

**Match Bank:** \$49,997.08

**Admin Spent:** \$0.00

**A&E Spent:** \$67,164.46 2.69%

**Last Released Billing:** 12/24/2015

**Pending Billing:** No

**Number of Billings:** 9

## AMENDMENTS

| #  | Type                      | Applied Date | Description   |
|----|---------------------------|--------------|---|
| 14 | Time Extension            | 12/17/2015   | The project period of 10/16/2009 to 12/31/2015 is extended to allow the contracting party until 12/31/2016 to complete the project.   |
| 12 | Cost Change               | 08/13/2015   | The project agreement is increased in the amount of \$500,000 of 2015-17 PSAR (effective July 10, 2015) and \$88,500 of sponsor match approved by the SRFB on May 6, 2015 and by the SRFB Technical Review Panel on June 14, 2015, to afford completion of the estuary restoration project, and Special Conditions specifying project deliverables are added.   |
| 11 | Time Extension            | 09/10/2014   | The project period of 10/16/2009 to 09/30/2014 is extended to allow the contracting party until 12/31/2015 to complete the project.   |
| 10 | Cost Change               | 10/31/2014   | This amendment 1) increases the project agreement to total \$1,906,780.05 with the addition of \$400,000 of 09-11 return PSAR funds and \$400,000 sponsor match to afford rising construction costs, and 2) expands the scope of work to include the full estuary restoration project, as proposed in the original grant application, all as approved by the SRFB subcommittee on September 4, 2014.  |
| 9  | Time Extension            | 05/13/2014   | The project period of 10/16/2009 to 06/30/2014 is extended to allow the contracting party until 09/30/2014 to complete the project.   |
| 8  | Cost Change               | 09/20/2013   | Funding is increased by \$100,000 of 2007-2009 PSAR return funds from 10-1877, to afford higher than anticipated construction costs bringing the total Project Agreement to \$1,106,780.05.   |
| 7  | Cost Change               | 08/06/2013   | Funding is increased by \$50,000 of 2007-2009 PSAR return funds, to afford higher than anticipated construction costs bringing the total Project Agreement to \$1,006,780.05.   |
| 6  | Time Extension            | 06/13/2013   | The project period of 10/16/2009 to 06/30/2013 is extended to allow the contracting party until 06/30/2014 to complete the project.   |
| 5  | Time Extension            | 09/14/2012   | The project period of 10/16/2009 to 09/30/2012 is extended to allow the contracting party until 06/30/2013 to complete the project.   |
| 4  | Special Conditions Change | 07/18/2012   | Completion of the earlier project, Qwuloolt Estuary Phase II Design (07-1624), was significantly delayed. In order to facilitate closing the 07-1624 project agreement with submittal of 95% Designs, a special condition for completion of the Qwuloolt Estuary restoration final design deliverables is added to this project agreement.  |
| 3  | Cost Change               | 03/07/2012   | This PSAR funded project provides the primary source of match for the ALEA funded project No. 06-1604 "Qwuloolt Estuary Restoration and Trail" and is similar in scope and schedule. In order to streamline contracting, this amendment will integrate No. 06-1604 into No. 09-1277 by aligning the scope of work and increasing the agreement amount by \$456,780.05 of unspent ALEA program funds, bringing the project agreement to total \$956,780.05 in funding. |
| 2  | Scope Change              | 01/25/2012   | The project scope is changed to remove the levee breach and second year west levee construction, and to add channel restoration with riparian planting.   |
| 1  | Time Extension            | 12/06/2011   | The project period of 10/16/2009 to 01/01/2012 is extended to allow the contracting party until 09/30/2012 to complete the project.   |

## PROGRESS REPORT QUESTIONS

| #      | Question  | Answer | Answer Description  |
|--------|---|--------|---|
| 1 of 5 | Are there any significant challenges that might hinder progress or keep you from meeting your project milestones? If so, please tell us about them.                                 | Yes    | Staffing changes occurred during the reporting period. The restoration ecologist assigned to this project changed positions within the Tribes Natural and Cultural Resources Department. The Project Manager will either promote or advertise for a replacement.  |
| 2 of 5 | Describe the work accomplished during this reporting period.  |        | Completed construction of the stormwater and sewer line actions on the perimeter of the worksite. Coordination with the Corps Construction Manager and Real Estate staff occurred during the reporting period. Discussions focused on obtaining as-built maps of the setback levee and starting a real estate appraisal of properties associated with the project - per Corps requirements. Periodic monitoring of the site by the Tribes Project Manager and Nearshore Manager occurred during the reporting period. Monitoring focused on project performance and biological response. A tribal contractor hired in 2015 to plant the berms began planting the remaining berms. |
| 3 of 5 | Do you anticipate any changes to your project? Please describe those changes here.  | No     |   |
| 4 of 5 | Tell us about work planned for the next reporting period.   |        | Work planned for the next reporting period include as-built surveying and mapping of project features, unrelated to the Corps work. Continuing to request as-builts from the Corps for the set-back levee. Hiring a new restoration ecologist to support and oversee continued work on the site. Continueing to plant berms and monitoring the site, and continueing with the Corps appraisal requirements.   |
| 5 of 5 | Do you anticipate you will need to request an amendment to your project agreement in the next six months (time extension, cost change, scope change, etc.)? If yes, please explain: | Yes    | One of the scope tasks include development of a stewardship plan for the site. We plan on beginning the development of the plan, but it may not be finished until after the project completion date of December of 2016.  |

# MILESTONES

| Milestone                     | Target Date | Description  | Completed | Delayed | New<br>Target Date | Progress/Reason for Delay   |
|-------------------------------|-------------|--|-----------|---------|--------------------|---|
| Project Start                 | 10/16/2009  |  | X         |         |                    |   |
| Cultural Resources Complete   | 10/16/2009  | Completed in 2008  | X         |         |                    |   |
| Applied for Permits           | 03/01/2010  | Federal permits were submitted in 2009   | X         |         |                    |   |
| Progress Report Submitted     | 03/15/2011  |  | X         |         |                    |   |
| Annual Project Billing        | 03/15/2011  | and at least once per year thereafter  | X         |         |                    |   |
| Progress Report Submitted     | 09/30/2011  |  | X         |         |                    |   |
| Progress Report Submitted     | 03/16/2012  |  | X         |         |                    |   |
| RFP Complete/Consultant Hired | 05/30/2012  | was 07/01/2011   | X         |         |                    |   |
| Annual Project Billing        | 07/31/2012  |  | X         |         |                    |   |
| Progress Report Submitted     | 07/31/2012  |  | X         |         |                    |   |
| Permits Complete              | 09/21/2012  |  | X         |         |                    |   |
| Bid Awarded/Contractor Hired  | 09/24/2012  |  | X         |         |                    |   |
| Progress Report Submitted     | 12/31/2012  |  | X         |         |                    |   |
| Restoration Started           | 02/13/2013  | USACE portion  | X         |         |                    |   |
| Progress Report Submitted     | 04/30/2013  |  | X         |         |                    |   |
| Final Design to RCO           | 07/31/2013  | Per Special Condition to Grant Agreement   | X         |         |                    |   |
| Progress Report Submitted     | 09/30/2013  |  | X         |         |                    |   |
| Progress Report Submitted     | 12/31/2013  |  | X         |         |                    |   |
| Progress Report Submitted     | 03/31/2014  |  | X         |         |                    |   |
| Annual Project Billing        | 11/30/2014  |  | X         |         |                    |   |
| Progress Report Submitted     | 12/31/2014  |  | X         |         |                    |   |
| Progress Report Submitted     | 06/01/2015  |  | X         |         |                    |   |
| Restoration Complete          | 10/31/2015  | Setback Levee & Breach   | X         |         |                    |   |
| Progress Report Submitted     | 11/13/2015  |  | X         |         |                    |   |
| Final Design to RCO           | 12/07/2015  | Tulalip As-built designs and Memos on the channels and berms   | X         |         |                    |   |
| Progress Report Submitted     | 03/31/2016  | Update on status of remaining corps work items (reconciliation and as-builts)  |           | X       | 06/30/2016         | Staff changes   |
| Progress Report Submitted     | 06/01/2016  | Update on status of remaining corps work items (reconciliation and as-builts)  |           | X       | 06/30/2016         | Staff changes   |
| Stewardship Plan to RCO       | 06/30/2016  | Per SRFB standards.  |           | X       | 12/01/2016         | Negotiation and coordination with the City of Marysville will likely push completing this beyond 2016 |
| Final Design to RCO           | 06/30/2016  | Tulalip Tribes portions of the project as-builts, with lessons learned report (Special Condition from SRFB Technical Review Panel) |           |         |                    |   |
| Progress Report Submitted     | 09/30/2016  | Update on status of remaining corps work items (reconciliation and as-builts)  |           |         |                    |   |
| Final Billing to RCO          | 12/30/2016  | Or as soon as USACOE completes the reconciliation  |           |         |                    |   |
| Final Design to RCO           | 12/30/2016  | USACOE Setback dike  |           |         |                    |   |

|                       |            |   |
|-----------------------|------------|---|
| Agreement End Date    | 12/31/2016 | Or sooner if USACOE completes the reconciliation and delivers as-builts |
| Final Report in PRISM | 12/31/2016 | In order to reflect the final project costs as USACOE determines        |

## PERMITS

| Type                                       | Applied Date | Received Date | Expiration Date | Permit Number   | Comments  |
|--|--------------|---------------|-----------------|-----------------|---|
| Clear & Grade Permit                       | 08/01/2012   | 10/9/2012     |                 | G12-0023 and C  |   |
| Cultural Assessment [Section 106]          |              | 12/9/2008     |                 | 120808-24-COE   | Survey in 2006 and 2008. Determination of No Historic Properties Affected.                                  |
| Dredge/Fill Permit [Section 10/404 or 404] | 05/28/2010   | 11/16/2010    |                 | NWS-2010-0075   |   |
| Endangered Species Act Compliance [ESA]    |              | 1/12/2009     |                 | 13410-2009-I-01 | USFWS Fish Passage/Habitat Restoration Programmatic, NMFS Section 4(d) Limit Number 8 (Habitat Restoration) |
| Hydraulics Project Approval [HPA]          | 08/08/2012   | 9/5/2012      |                 | 120658-2        |   |
| SEPA                                       | 05/28/2010   | 6/29/2011     |                 | PA 10013        |   |
| Shoreline Permit                           | 05/28/2010   | 8/2/2011      |                 | PA 10013        | This permit was appealed, but permit was upheld 9/13/2011.  |
| Water Quality Certification [Section 401]  | 12/24/2008   | 2/4/2009      |                 | PI-09-11        | Ecology certifies that work complies with CWA and CZMA and State CZMP.                                      |

### Permit Questions

| #      | Question   | Answer | Answer Description |
|--------|--|--------|--------------------|
| 1 of 4 | Any additional mitigation requirements? If so, please describe.  | No     |                    |
| 2 of 4 | Are there any additional permits required? If so, please describe.   | No     |                    |
| 3 of 4 | Tell us about your progress with securing your permits or ESA consultation.  |        | N/A                |
| 4 of 4 | Did you use the federal permit streamlining process (Limit 8)? If yes, please attach your Limit 8 Self Certification Form. | No     | N/A                |